

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

EFRAIN RAMIREZ TORRES AND  
JULIZETTE VICENS SALGADO

CASE NO. 09-05680 (ESL)

Debtor

CHAPTER 7

**OPPOSITION TO REQUEST FOR DISCHARGE**

**TO THE HONORABLE COURT:**

COMES NOW creditors, MARIA C. HERRERA BOLIVAR, ANDRES RIVERA LLOPIZ by themselves and as legal guardians for G.A.R.H., through the undersigned attorney and respectfully moves the court:

1. On May 5, 2011 debtor filed a Motion Requesting the issuance of the discharge order.
2. On November 22, 2010, the appearing creditor filed a motion requesting an extension of time to submit an objection to debtor's dischargeability.
3. At present, movant has not been able to conclude the investigation on debtors' financial condition in order to determine if a formal objection to the dischargeability of the debtors is needed.
4. The meeting of creditors of this case was held on February 15, 2011. At the meeting, and prior to it, we received from debtors' counsel several documents related the assets, the income and the expenses of the debtor. These documents were produced as part of a discovery process directed to determine on the possibility of disputing the discharge of the debtors.
5. In addition to the discovery of the documents, we also agreed with debtors' counsel for the rendering of authorizations to obtain copies of the monthly

statements of the bank account of the debtors and their medical office, as well as of the annual reports of the payments received from the health insurance plans.

6. On March 8, 2011 we sent a letter (**Exhibit I**) to sister council, Myrna Ruiz Olmo, with the forms for the authorization.

7. In the letter we also provided council with alternate dates for the Rule 2004 examination of the debtor, which were going to be taken as part of a mutual agreement reached as part of the discovery process.

8. On March 21, 2011 we sent an email to sister council to follow up on the letter of March 8, 2011. Sister council responded saying she was going to follow up on the matter (**Exhibit II**).

9. After that email message no other communication has been received from debtors' council regarding the discovery that is still pending.

10. We appear here on behalf of minor child and his parents, who were granted a judgment in a malpractice action. This minor and his parents deserve to be fully informed of the financial conditions of these debtors before agreeing to their discharge.

11. So far, the debtors have not cooperated with movants for the completion of the discovery process. After agreeing to produce the authorizations to obtain several critical financial documents and to appear at the Rule 2004 examination, they have failed to comply.

12. We respectfully oppose debtors' request for discharge until we are able to complete the discovery process.

13. If the discovery has taken more time than usual is due to debtors' failure to comply with their compromise to cooperate and to voluntarily help in the discovery.

WHEREFORE, movant respectfully request this Honorable Court to deny debtors' motion for the issuance of a discharge order and consequently allow the case to continue instructing debtors to comply with the discovery process that has been initiated by movant.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System.

In San Juan, Puerto Rico, this 13<sup>th</sup> day of May, 2011.

**s/ CARLOS R. SOSA PADRO, ESQ.**  
USDC-PR 205112  
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8 de marzo de 2011

Lcda. Myrna Ruiz Olmo  
Charles A. Cuprill PSC  
136 Calle Fortaleza - Segundo Piso  
San Juan, Puerto Rico

RE: Dr. Efraín Ramírez y Julizette Vicens  
Quiebra 09-05680

Estimada compañera:

Le remito la presente con el propósito de coordinar los procedimientos investigativos que nos quedan pendientes en el caso de autos. Le incluyo con la presente las autorizaciones para la divulgación de información sobre los planes médicos y sobre la cuenta bancaria del Dr. Ramírez y su empresa.

También necesitamos coordinar la toma de la deposición bajo la Regla 2004 del doctor y su esposa para completar entonces nuestra investigación. Para la deposición, el licenciado Cancio Bello me informó tener disponibles los días 22, 23, 28 de marzo y el 8 de abril de 2011.

Agradeceré se comunique con el doctor y su esposa para verificar su disponibilidad en alguna de estas fechas. Si ninguna de ellas es fecha hábil, agradeceré se comunique con mi secretaria con el propósito de coordinar una fecha posterior.

Cordialmente,

Carlos R. Sosa Padro

## **AUTORIZACION PARA DIVULGAR INFORMACION BANCARIA**

Los suscriptores Efraín Ramírez Torres y Julizette Vicens Salgado, por la presente autorizamos a Banco Popular de Puerto Rico a entregar a los licenciados Carlos R. Sosa Padró y Emilio Cancio-Bello todos los estados mensuales de la cuenta Núm. 030692415 y de toda y cualquier cuenta que tengamos con dicha entidad, correspondientes a los años 2005 a 2010, inclusive.

En San Juan, Puerto Rico, a \_\_\_\_\_ de marzo de 2011.

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EFRAIN RAMIREZ TORRES

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JULIZETTE VICENS SALGADO

## **AUTORIZACION PARA DIVULGAR INFORMACION BANCARIA**

Los suscriptores Efraín Ramírez Torres y Luis Rivera Cubano h/n/c/ Centro Gineco-Obstétrico, por la presente autorizamos a Doral Bank a entregar a los licenciados Carlos R. Sosa Padró y Emilio Cancio-Bello todos los estados mensuales de la cuenta Núm. 2740003856 y de toda y cualquier cuenta que tengamos con dicha entidad, correspondientes a los años 2005 a 2010, inclusive.

En San Juan, Puerto Rico, a \_\_\_\_\_ de marzo de 2011.

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EFRAIN RAMIREZ TORRES

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LUIS RIVERA CUBANO

8 DE MARZO DE 2011

AQUIEN PUEDA INTERESAR:

**AUTORIZACION PARA DIVULGAR INFORMACION DE FACTURACION Y PAGOS**

Los suscriptores Efraín Ramírez Torres y Luis Rivera Cubano h/n/c/ Centro Gineco-Obstétrico, por la presente autorizamos a los licenciados Carlos R. Sosa Padró y Emilio Cancio-Bello a solicitar y obtener de toda y cualquier compañía de seguros de Planes Médicos, Salud, Vida, Incapacidad, etc., y en particular de todas aquellas incluidas en la lista que se acompaña como Anejo I, todo el historial mensual y anual de las reclamaciones hechas por nuestra oficina al plan, por los servicios médicos-obstétricos prestados por nosotros a cualquier persona, así como el historial de pagos mensuales y anuales hechos a los suscriptores durante los años 2005 a 2010, inclusive.

En San Juan, Puerto Rico, a \_\_\_\_\_ de marzo de 2011.

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EFRAIN RAMIREZ TORRES

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LUIS RIVERA CUBANO

## **PLANES MEDICOS**

Atlantic Southern Insurance Co.

Blue Cross Blue Shield

Cigna

Cosvi (Dejo de existir en el 2009)

Cruz Azul (Dejo de existir en el 2009)

Global Health Plan

Humana

Humana Medical Advantage (Presby)

Mapfre

MCS

MCS (Presby)

MCS Classicare

Medicare

MMM

Option Healthcare

Panamerican Life Insurance Co.

Panamerican Life Insurance Co. (Presby)

PMC

Preferred Health (Dejo de existir en el 2009)

Prosalud (Dejo de existir en el 2010)

SSS

SSS Reforma

Tricare

United Healthcare

**Lcdo. Carlos Sosa Pardo**

**From:** Lcdo. Carlos Sosa Pardo [csosalaw@gmail.com]  
**Sent:** Tuesday, March 29, 2011 12:01 PM  
**To:** 'Myrna Ruiz Olmo'  
**Subject:** RE: Quiebra Dr. Ramirez

Gracias.

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**From:** Myrna Ruiz Olmo [<mailto:mruizolmo@cuprill.com>]  
**Sent:** Tuesday, March 29, 2011 11:32 AM  
**To:** 'Lcdo. Carlos Sosa Pardo'  
**Cc:** 'Emilio Cancio-Bello'  
**Subject:** RE: Quiebra Dr. Ramirez

Disculpe. Le daré seguimiento a este asunto. Espero ofrecerle una respuesta antes de finalizar la semana.

Saludos,

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Myrna L. Ruiz-Olmo, Esq.

**Charles A. Cuprill, PSC Law Offices**  
356 Fortaleza ST  
Second Floor  
San Juan PR 00901

Tel: (787)977-0515  
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**From:** Lcdo. Carlos Sosa Pardo [<mailto:csosalaw@gmail.com>]  
**Sent:** Monday, March 21, 2011 12:07 PM  
**To:** 'Myrna Ruiz Olmo'  
**Cc:** 'Emilio Cancio-Bello'  
**Subject:** Quiebra Dr. Ramirez

Saludos cordiales. En el caso de referencia tenemos pendientes varios asuntos entre ello la toma de una depo bajo la 2004 al Dr. Ramírez y a su esposa. Te envié alternativas de fechas y no he recibido respuesta. Tampoco me has enviado las autorizaciones para obtener los record médicos. Cuando puedas me llamas.

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Information from ESET NOD32 Antivirus, version of virus signature database 5970 (20110321)

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The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

# Message Confirmation Report

Date/Time : MAR-08-2011 01:42PM TUE  
Fax Number :  
Fax Name :  
Model Name : 1815dn

No.	Name/Number	StartTime	Time	Mode	Page	Result
172	7879770518	03-08 01:40PM	01'14	ECM	006/006	O.K

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CARLOS R. SOSA PADRO  
LAW OFFICE CST

# FAX

To: LCDA MYRNA RUIZ OLMO  
CHARLES A CUPRILL PSC From: LCDO. CARLOS R. SOSA PADRO

Fax: 977-0518 Pages: 6  
Re: DR EFRAIN RAMIREZ AND JULIZETTE Date: 8 March 2011  
VICENS

Confirmé el vuelo  
con Manlio Cuprill

By

\*\* original enviado  
por correo